

Remarks

Claims 1-22 are pending in the subject application. Claims 1-5, 7, 9-11, and 17-21 have been rejected, and claims 6, 8, 12-16, and 22 have been withdrawn from consideration.

Claims 6, 8, 12, and 22 depend upon respective generic claims, and if the respective generic claims are allowed, claims 6, 8, 12, and 22 will be considered.

Claims 13-16 have been canceled. Applicant may choose to file a divisional application including these claims.

Rejections under 35 U.S.C. 102(b)

Claims 1, 3, and 4 have been rejected as being clearly anticipated by U.S. Patent 5,307,897 to Turner et al. Turner et al. discloses a safety stanchion including a base adapted for mounting to a structural I-beam with one or more bolts, which lock against the underside of the I-beam, and a universally adjustable strap and a hook, which engages the outer portion of the I-beam and is secured by a ratchet hook.

Claim 1 has been amended to recite that the support member is operatively connected to the lifeline and that the elongate member is a single connection between the support member and the anchorage member. Because Turner et al. discloses mounting the base to the I-beam with one or more bolts and a strap with a hook, Turner et al. does not disclose a single connection between the support member and the anchorage member. Therefore, claim 1 is not anticipated by Turner et al.

Because claims 3 and 4 depend upon claim 1, claims 3 and 4 are also not anticipated by Turner et al.

Claims 1, 3, and 7 have been rejected as being clearly anticipated by U.S. Patent 6,695,095 to Franke. Franke discloses a fall protection restraint apparatus that is utilized during building construction including a base that rests on the lowest floor surface of the building during construction and is secured thereto with anchor bolts, as shown in Figures 1-5. A number of poles are connected to the base sequentially, as construction height requires, to form a

structurally sound column. Support cables are connected between the poles and the building under construction to horizontally support the column by forming a guyed matrix. A retractable lifeline lanyard is attached to a D-ring on the end cap on the uppermost pole.

Claim 1 has been amended to recite that the support member is operatively connected to the lifeline and that the elongate member is a single connection between the support member and the anchorage member. Because Franke discloses securing the base to the floor with anchor bolts and supporting the poles connected to the base with support cables forming a guyed matrix, Franke does not disclose a single connection between the support member and the anchorage member. Therefore, claim 1 is not anticipated by Franke.

Because claims 3 and 7 depend upon claim 1, claims 3 and 7 are also not anticipated by Franke.

Claims 9 and 17-19 have been rejected as being clearly anticipated by U.S. Patent 4,589,523 to Olson et al. Olson et al. discloses a fall arrester and emergency retrieval apparatus and a support tripod upon which the fall arrester and emergency retrieval apparatus may be mounted. The fall arrester and emergency retrieval apparatus may be mounted on a leg of the tripod or suspended from a central portion of the tripod for facilitating use of the fall arrester and emergency retrieval apparatus in confined entry applications. Olson et al. does not disclose connecting the tripod to an anchorage member.

Claim 9 recites a connecting member operatively connected to the second end of the elongate member and configured and arranged to engage the anchorage member. Olson et al. does not disclose an elongate member engaging an anchorage member as claimed. Further, claim 9 recites an elongate member being a single point of connection between the tripod and the anchorage member. Olson et al. does not disclose connecting the tripod to an anchorage member. Therefore, claim 9 is not anticipated by Olson et al.

Claim 17 recites a connecting member operatively connected to the second end of the elongate member and configured and arranged to engage the anchorage member. Olson et al. does not disclose an elongate member engaging an anchorage member as claimed. Further, claim 9 recites an elongate member being a single point of connection between the tripod and the

anchorage member. Olson et al. does not disclose connecting the tripod to an anchorage member. Therefore, claim 17 is not anticipated by Olson et al.

Because claims 18-19 depend upon claim 17, claims 18-19 are also not anticipated by Olson et al.

Rejections under 35 U.S.C. 103(a)

Claim 5 has been rejected as being unpatentable over Turner et al. Because Turner et al. discloses mounting the base to the I-beam with one or more bolts and a strap with a hook, Turner et al. neither teaches nor suggests a single connection between the support member and the anchorage member, as recited in claim 1 upon which claim 5 depends. Further, Turner et al. neither teaches nor suggests a loop in the elongate member as a connecting member, as recited in claim 5. Therefore, claim 5 is not obvious in view of Turner et al.

Claims 2, 9-11, 17, and 19-21 have been rejected as being unpatentable over U.S. Patent 6,722,470 to Carson in view of Turner et al. Carson discloses an anchorage system including one or more stanchions having a base with clamps and coordinating clamp bolts that grip a first edge of a flange and an extension bar that abuts a second edge of the flange to secure the stanchion to the flanges of an I-beam. For use with a concrete beam with looped rebars, rather than an I-beam, an adapter may be used. The adapter includes clips, clamps, or brackets that attach to the looped rebars. The adapter includes flanges similar to the flanges of an I-beam to which the stanchion is secured.

With regard to claim 2, which depends upon claim 1, neither Carson nor Turner et al. teaches or suggests a single connection between the support member and the anchorage member as recited in claim 1. Further, neither Carson nor Turner et al. teaches or suggests a tripod operatively connected to an anchorage member with a single connection. Therefore, combining these references as suggested in the Office Action does not result in what is claimed in claim 2.

Claims 9-11 recite a tripod having three legs configured and arranged to be supported by the planar surface, an elongate member being a single point of connection between the tripod and the anchorage member, and wherein ratcheting the elongate member exerts an upward force on

the anchorage member with the connecting member and a downward force on the tripod thereby securing the tripod to the anchorage member. Neither Carson nor Turner et al. teaches or suggests a tripod having three legs configured and arranged to be supported by the planar surface upon which tasks are performed as each generally discloses a stanchion having a base secured to the flanges of an I-beam. Further, because Carson and Turner et al. disclose at least two connectors, a connector for connection to each of the opposing flanges of an I-beam, not a single point of connection, a single point of connection between the tripod and the anchorage member is neither taught nor suggested by these cited references. Even further, neither Carson nor Turner et al. teaches or suggests when the elongate member is ratcheted so that the elongate member becomes taut, the elongate member exerts an upward force on the anchorage member with the connecting member and a downward force on the tripod thereby securing the tripod to the anchorage member. Therefore, claims 9-11 are not obvious in view of these cited references.

Claim 17 recites a tripod having three legs configured and arranged to be supported by the planar surface and to accommodate the anchorage member between the three legs. Claim 17 also recites an elongate member being operatively connected to the tripod directly above the anchorage member thereby extending perpendicular to the planar surface, the elongate member being a single point of connection between the tripod and the anchorage member, the ratcheting device ratcheting the elongate member so that the elongate member becomes taut when the connecting member engages the anchorage member, wherein ratcheting the elongate member exerts an upward force on the anchorage member with the connecting member and a downward force on the tripod thereby securing the tripod to the anchorage member.

Carson and Turner et al. each generally discloses a stanchion having a base secured to the flanges of an I-beam, not a tripod having three legs configured and arranged to be supported by the planar surface and to accommodate the anchorage member between the legs. Further, because Carson and Turner et al. disclose at least two connectors, a connector for connection to each of the opposing flanges of an I-beam, neither of these cited references teaches nor suggests an elongate member being operatively connected to the tripod directly above the anchorage member thereby extending perpendicular to the planar surface, the elongate member being a

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single point of connection between the tripod and the anchorage member. Even further, neither Carson nor Turner et al. teaches or suggests when the elongate member is ratcheted so that the elongate member becomes taut, the elongate member exerts an upward force on the anchorage member with the connecting member and a downward force on the tripod thereby securing the tripod to the anchorage member. Therefore, claim 17 is not obvious in view of these cited references.

With regard to claims 19-21, because claim 17 is not obvious in view of these cited references, claims 19-21, which depend upon claim 17, are also not obvious in view of these cited references.

Claims 23-25 have been added. Because none of the cited references teach or suggest an elongate member operatively connected to a tripod and extending between the three legs of the tripod, allowance of these newly added claims is respectfully requested.

Favorable consideration of this Amendment is respectfully requested. The Examiner is welcome to contact the under-signed representative for the Applicant should the Examiner have any questions or should the Examiner like to discuss this matter further.

Respectfully submitted,

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